

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING NATIONAL PHASE OF

PCT APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495

Го:	The Commissioner of Patents and Trademarks Washington, D.C. 20231	(Our Deposit Account No. 03-3975 (Our Order No. 4704 / 218100 C# / M#						
	MITTAL LETTER TO THE UNITED STATES NATED/ELECTED OFFICE (DO/EO/US)	Atty. Dkt. 218100 / RY/JKM/551 M# / Client Ref.						
From:	Cushman Darby & Cushman	Date: JULY 14, 1995						
	This is a REQUEST for <u>FILING</u> a PCT/USA National Phase App	lication based on:						
1.	International Application 2. International Filing Date	3. Earliest Priority Date Claimed						
	PCT/DK94 /00011 07 JAN 1994 † country code Day MONTH	Year Day MONTH Year						
4.	Measured from the earliest priority date in item 3, this PCT/USA within:	ST for FILING a PCT/USA National Phase Application based on: Alication 2. International Filing Date 3. Earliest Priority Date Claimed 11						
	(a) [] 20 months from above item 3 date (b) [X] 30 mo	nths from above item 3 date,						
	Therefore, the due date (unextendable) isJULY 15, 1995							
5.	Title of Invention NEW CRYSTALLINE FORM OF A VITAMIN	D ANALOGUE						
6.	Inventor(s) HANSEN, Erik Torngaard et al							
Applica	ant herewith submits the following under 35 U.S.C. 371 to effect fi	ling:						
7.	[X] Please immediately start national examination procedures	(35 U.S.C. 371(f)).						
3.	[] A copy of the International Application as filed (35 U.S.C but, if in foreign language, file only if <u>not</u> transmitted to PTO by							
	a. [] Request; b. [] Abstract; c pgs. Spec. and Claims; d sheet(s) Drawing which are [] informal [] form	al of size [] A4 [] 13" [] 14"						
) .	[X] A copy of the international Application has been transmitted by the International Bureau.							
10.	A translation of the International Application into English (35 a. [X] is transmitted herewith including: (1) [] Request; (2) (3) 6 pgs. Spec. and Claims; (4) sheet(s) Drawing which are: [] informal [] formal of size [b. [] is not required, as the application was filed in English. c. [] is not herewith, but will be filed when required by the formula per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box	[X] Abstract;] A4 [] 13" [] 14" orthcoming PTO Missing Requirements Notice						
	d. [] Translation verification attached (not required now).							

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Re:	USA National Filing of PCT/ <u>DK94-1 00011</u> Page 2 of 3
11.	[] Amendments to the clair of the International Application under PC: cle 19 (35 U.S.C. 371(c)(3)), i.e., before 18th month from first priority date above in item 3, are transmitted herewith (file if in English but, if in foreign language, file only if not transmitted by the International Bureau) including:
12.	[X] PCT Article 19 claim amendments (if any) have been transmitted by the International Bureau.
13.	Translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., of claim amendments made before 18th month, is attached (required by 20th month from the date in item 3 if box 4(a) above is Xu, or 30th month if box 4(b) is Xu, or else amendments will be considered cancelled).
14.	 A declaration of the inventor (35 U.S.C. 371(c)(4)) a. [X] is submitted herewith [XX] Original [] Facsimile/Copy b. [] is not herewith, but will be filed when required by the forthcoming PTO Missing Requirements Notice per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box 4(b) is X'd.
15.	An International Search Report (ISR): a. Was prepared by [X] European Patent Office [] Japanese Patent Office [] Other b. [X] has been transmitted by the International Bureau to PTO. c. [X] copy herewith (_2pg(s).) [X] plus Annex of family members (1_pg(s).).
16.	International Preliminary Examination Report (IPER): a. [X] has been transmitted (if this letter is filed after 28 months from date in item 3) in English by the International Bureau with Annexes (if any) in original language. b. [X] copy herewith in English c.1 [] IPER Annex(es) in original language ("Annexes" are amendments made to claims/spec/drawings during Examination) including attached amended: c.2 [] Specification/claim pages # [] Drawing Sheets # c.3 [] Which resulted in cancellation of pages # Dwg Sheets # d. [] Translation of Annex(es) to IPER (required by 30th month due date, or else annexed amendments will be considered cancelled).
17.	 information Disclosure Statement including: a. [X] Attached Form PTO-1449 listing documents b. [X] Attached copies of documents listed on Form PTO-1449 c. [X] A concise explanation of relevance of ISR references is given in the ISR.
18.	[X] Assignment document and Cover Sheet for recording are attached. Please mail the recorded assignment document back to the person whose signature, name and address appear at the end of this letter.
19.	[] Copy of Power to IA agent.
20.	[] Drawings: sheet(s) per set: [] 1 set informal; [] Formal of size [] A4 [] 13" [] 14"
21.	[] (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27
22.	Priority is hereby claimed under 35 U.S.C. 119/365 based on the priority claim and the certified copy, both filed in the International Application during the international stage based on the filing in (country) GREAT BRITAIN of:
	Application No. Filing Date Application No. Filing Date
(1) <u>9300763.1</u> <u>15 JAN 1993</u> (4)
	2) (5)
(a. [X] See Form PCT/IB/304 sent to US/DO with copy of priority documents
	b. [] Copy of Form PCT/IB/304 attached.

Re:.	UŚA	National	Filing	of	PCT/_	DK9	011	
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23. Attached:

24.	Preliminary	Amend	lment	l:
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24.5 Po	er item 16.c3, <u>cancel origin</u> a	<u>al</u> pages #	, Drawing Sheets #	¥	_			
	25. <u>Calculation of the U.S. National Fee (35 U.S.C. 371 (c)(1)) and other fees is as follows:</u> based on <u>amended</u> claim(s) per above item(s) [] 11, [] 13, [] 16, [] 24 (hilite)							
TOTAL EF		7 - 20 = 1 - 3 =	* ×	arge/Small Entity \$ 22/\$11 = \$ 76/\$38 =	\$ \$	Fee Code (986/967) (964/965)		
If any pro	per (ignore Improper) MULT	IPLE DEPENDENT CLAIF	*If answer <0, Vis present,		+ 240.00	(968/969)		
BASIC NA	TIONAL FEE (37 CFR 1.492	(a)(1)-(4)): →→→→→B ASI	C FEE REQUIRED,	<u>NOW</u> →→↓				
A.	if country code letters in it	em 1 are <u>not "US", "BR",</u>	"BB", "TT" or "MX"	†				
	See item 15a re: 1. Search Report was 1 2. Search Report was 1	not prepared by EPO or prepared by EPO or JPC	<u>JPO</u>	add \$980/\$490 add \$850/\$425	+850.00	(980/961) (970/971)		
SKIP B. C	C. D AND E UNLESS count	ry code letters in Item	1 are "US", "BR", "I	3B", "TT" or "MX"	_			
->	[] B. If neither i preliminary examir	nternational search fee n nation fee was paid to <u>US</u>		add \$980/\$490	+	(960/961)		
(X) (<u>only</u>) -> (<u>one</u>) (of)	[] C. If internation but not internation	onal search fee was paid al prellminary examinatio	to <u>USPTO</u> on fee,	add \$730/\$365	+	(958/959)		
` '		onal preliminary examina		add \$660/\$330	+	(956/957)		
->	[] E. If internation to <u>USPTO and</u> Rule	onal preliminary examina les 492(a)(4) and 496(b)		add \$ 92/\$46	+	(962/963)		
26.				SUBTOTAL =	1,090.00			
27.	if Assignment box 18 abov	ve is X'd, add Assignmen	t Recording fee of -	\$40.00	+ 40.00	(581)		
28.	Attached is a check to cov	ver the		TOTAL FEES	1,130.00			
asserted to be (missing or in Account/Ord	TATEMENT: The Commissioner is be filed, or which should have been a sufficient fee only) now or hereafter ler Nos. shown in the heading here RGE STATEMENT does no	n filed herewith or concerning a or relative to this application and of for which purpose a <u>duplica</u>	any paper filed hereafter, a d the resulting Official docu ate copy of this sheet is att	nd which may be requi ument under Rule 20, or ached.	red under Rules 16-1 r credit any overpaym	8 and 492 ent, to our		
		CUSHMAN DARBY	& CUSHMAN, L.L.P					
Ninth Floo	York Avenue or, East Tower	By Atty: PAUL N	I. KOKULIS	Reg.	No. <u>16773</u>	· · ·		
•	on, D.C. 20005–3918) 861–3000			Fax: (202) 822-0944				
Atty/Sec:F	NK:sdm	Sig:	ette elemente	Tel.: (202)	861- <u>3503</u>	-		
NOIE: FI	e in <u>duplicate</u> with 2 postcar	ra receipts (CDC-103) &	anacimients.					